

EXHIBIT F



AFFIDAVIT

I, Brenda Marsh, hereby swear under penalty of perjury the following is true and correct:

BLM 1. I have read a search warrant affidavit dated 10-1-82 filled out by Nancy Taylor. In this affidavit she says a 25 year old female who was living with Kenneth Waters at 5 Vernon Street, Ayer, Mass., the residence of Waters and his grandfather Benjamin Davenport told a male informant information about Kenny Waters and the killing of a woman in Ayre on May 21, 1980.

BLM 2. I was living with Kenny Waters on May 21, 1980 in Ayer with his grandfather. In October of 1982 Robert Osborne was living with me. He might be the male informant referred to in the affidavit.

BLM 3. The affidavit says that I told the male informant that Kenny Waters told me "that he had killed a woman in Ayre in a breaking and entering and that she (female) had better keep in line or he could do the same to her. This informant further said that the female remembers washing Waters blood soaked clothing for him the day of murder but that Waters explained the blood as coming from his duties of meat cutting at his place of employment."

BLM 4. The statements the "male informant" attributes to me are false. Kenny Waters never told me that he killed a woman in Ayer in a breaking and entering and he didn't threaten to "keep me in line" or he would do the same to me. He never came home the day of the murder in clothing soaked with blood and explained the blood as coming from his duties of meat cutting. I never told anything like that to Robert Osborne.

BLM 5. One day, probably in October of 1982 police officer Nancy Taylor and Police Chief Connors showed up at my house asking me about the Brow case. They told me they knew that I had information about Katy Brow's murder, that I would be charged as an accessory after the fact and receive ten years in state prison if I didn't help them, and that I could lose my children.

I was also shown photos of the victim, which were awful, and I couldn't even look at them. BLM 6. On a number of occasions before I testified for the first time on November 5, 1982 Nancy Taylor and Chief Connors met with me and repeated these threats if I didn't co-operate with them. The first meeting was with both of them and Robert Osborne at Maxwell Silverman's restaurant. At that meeting I was confronted with statements Osborne had made to them about what he claimed I said about the Brow case. I denied that I made the statements Osborne claimed I made and Taylor and Connors kept saying if I didn't co-operate I would be charged as an accessory and lose my kids.

BLM 7. There were a number of meetings where I was picked up and brought to Cambridge for interrogation before I testified. I do not remember when I first began to go along with what they were suggesting, but I was very frightened and scared.

BLM 8. At the pre-trial hearing and the trial I testified to some things that were not true and were suggested to me. Some of these things are:

BLM A) I called the diner the night of May 20, 1980, after Kenny had left to go work there, and asked to speak to Kenny, but I was told he was not there. That never happened;

BLM B) I testified that the morning of May 21st, when Kenny came home he had a scratch on the left side of his face, from under the eye to below the mouth, several inches, that he didn't have before he left for work. That is not true. I know it was being suggested by Nancy Taylor but I don't where she came up with it;

BLM C) I testified that Kenny talked about a woman that went in the diner a lot and had a lot of money in her house, that she was going back to Germany, and he'd like to have this woman's money. Kenny never said that to me. That wasn't true;

BLM D) I testified that in July of 1980 Kenny and I had an argument. He came in drunk, had on new clothes, and a new hat, and dumped beer over my head, and hit me in the back of legs with a plastic bat. That part is true. It is also true that I left after this incident, and he didn't know I was leaving. What isn't true, and was part of my testimony, is that I asked Kenny, "Did you kill that woman there?" and he said "Yeah, what's it to you?" Kenny never said he killed anyone and no statements like that were made by Kenny the night I left.

BLM E) I was shown a picture of a knife that I was told came from the murder scene. I also saw this picture in court and I said it was Kenny's knife, that he used it when he worked at Global Van Lines. It is true that Kenny had a knife from Global Van lines, but I had no basis for testifying that the knife in the picture was Kenny's knife instead of just looking like Kenny's knife. The reason I testified that it was Kenny's knife is that Nancy Taylor kept telling me it was Kenny's knife and I should so testify.

BLM 8. Until Nancy Taylor and Chief Connors came to my house I didn't know that Robert Osborne had gone to them and attempted to sell them information about the Brow case from me. Nancy Taylor and Chief Connors told me that Osborne had attempted to give them information for money.

BLM 9. The only conversations I had with Robert Osborne about this case before he went to the police were general in nature. I told him that Kenny and I were neighbors of the woman that was murdered and that the police questioned Kenny about it.

Dated: April 11, 2001

Brenda Marsh
Brenda Marsh

SWORN TO BEFORE ME ON April 13, 2001 IN Winchester, Mass

John C. Bell (JCB)